

****AMENDED DOCUMENT****

IN RE:

JULIO AGOSTO CUEVAS
TERESA LUGO DIEPPA
DEBTOR(S)

CASE NO. 15-04841-MCF
CHAPTER 13

**TRUSTEE'S UNFAVORABLE REPORT
ON POST CONFIRMATION MODIFIED PLAN DATED 3/11/2020**

With respect to the above-referred payment plan with a base of \$14,160.00 the Trustee
Renders the following recommendation:

☐

FAVORABLE

☒

UNFAVORABLE

The liquidation value of the estate is \$: 0.00

The general unsecured pool is \$: 0.00

The applicable commitment period (years) is: 3

1. **[X] FEASIBILITY 11 USC § 1325(a)(6):**Per PCM debtor has 2 months in arrears (\$410.00)

2. **[X] INSUFFICIENTLY FUNDED § 1325(b):**

The current plan base is insufficient to comply with the proposed disbursement schedule.

3. **[] UNFAIR DISCRIMINATION § 1322(b):**

5. **[X] FAILS DISPOSABLE INCOME TEST § 1325(b)(1)(B):**

As per amended schedule J debtors disposable income is \$330.00 and plan proposes payments of \$650.00

4. **[] FAILS LIQUIDATION VALUE TEST § 1325(a)(4):**

6. **[] DOES NOT PROVIDE FOR SECURED CREDITOR § 1325(a)(5):**

7. **[X] OTHER:**

(1)Plan Payment schedule to be revised along with payments already made to Trustee. Trustee hereby notes that he already received 18 payments in the amount of \$160.00, 12 payments in the amount of \$205.00, 22 payments in the amount of \$330.00 and 1 payment in the amount of \$500.00 (2)Section 4.3 (Attorney's Fees)-the balance of attorney's fees to be paid under the plan are \$2,840 instead \$2,490. (3)Trustee will not make disbursement unless an amended claim or a new claim is filed for post -petitions arrears Reverse Mortgage Solutions.

TRUSTEE'S REPORT ON POST CONFIRMATION
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NOTICE: This report anticipates Trustee's position as per 11 USC § 1302(b)(2) a copy of which has been served upon counsel for debtor(s).
Copies are available to parties in interest at the Trustee's Office.

DATE: 5/29/2020

JOSE A LEON LANDRAU*

COUNSEL FOR DEBTOR(S)

/s/ Pedro R Medina

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Chapter 13 Trustee

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